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IN THE

Supreme Court of the United States

OCTOBER TERM, 1964

NO. 27

AMERICAN FEDERATION OF MUSICIANS OF THE UNITED STATES AND CANADA, ET AL.,
Petitioners,

v.

EDDIE WITTSTEIN, ET AL.

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

BRIEF FOR THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS AS AMICUS CURIAE

INTEREST OF THE AFL-CIO

This brief *amicus curiae* is filed by the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) with the consent of the parties, as provided for in Rule 42 of the Rules of this Court.

The AFL-CIO is a federation which includes 131 national and international labor organizations, having a total of about thirteen million members. The Federation is vitally concerned with maintaining democratic procedures among all its affiliates. It is also vitally concerned with ensuring that each individual affiliate is allowed the widest latitude, consonant with guarantees of fairness for its membership, in deciding upon that particular mode of procedure best suited to its own needs and desires. Genuine democracy is served far better through a healthy diversity than through a rigid conformity in the private institutions of our free society.

The instant case presents one specific question about the latitude to be allowed labor organizations in determining the procedure for increasing membership dues. The question is important in itself, because under the decision of the court below doubt is cast on the methods now used by over half of the AFL-CIO's affiliates in securing essential revenue. The question is also important because it will enable this Court to provide guidance on how the Labor-Management Reporting and Disclosure Act of 1959, 73 Stat. 519, 29 U.S.C. §401 *et seq.*, should be interpreted in other contexts, when there is a choice between a narrow and artificial reading that will wreak havoc upon established union procedures without promoting any known congressional purpose, and, on the other hand, a sensible and realistic reading that will assure every individual union man his proper membership rights without interfering with the practices and usages freely adopted by his organization.

As the principal spokesman for organized working people in this country, the AFL-CIO wishes to submit to the Court certain data which, in our opinion, establish two critical points. First, the court below misconstrued the relevant statutory terminology by failing to appreciate its meaning as commonly understood in intraunion affairs. Secondly, the court's interpretation would force a great many inter-

national labor organizations, including a majority of the Federation's affiliates, to abandon their established procedures for increasing dues or fees or for levying assessments, despite the absence of any indication in the legislative history that Congress ever intended so unsettling a result.

ARGUMENT

Section 101(a)(3)(B) of the Labor-Management Reporting and Disclosure Act of 1959, 73 Stat. 522, 29 U.S.C. §411(a)(3)(B), provides in effect that an international union may increase individual members' dues or fees by, *inter alia*, a "majority vote of the delegates voting" at a convention of the organization. Judge Thurgood Marshall, dissenting below, and petitioners, in their brief here, have said all that needs to be said to show that as a matter of law the quoted language should properly be construed as including authorization for a procedure whereby a delegate's vote is "weighted" to reflect the number of members he represents. In view of this, we will confine ourselves to setting forth in summary fashion two items which we think confirm the soundness of petitioners' position, and which we feel are most appropriately presented by the AFL-CIO. These cover (1) congressional testimony by Federation President George Meany regarding his understanding of section 101(a)(3) of the Act, in the light of established union practices; and (2) the potential effect of the instant decision upon the voting procedures presently followed by the 131 national and international unions affiliated with the AFL-CIO.

I. Testimony By The AFL-CIO Regarding Section 101(a)(3) And Union Endorsement Of The Statutory Language Show The Landrum-Griffin Act Was Not Intended To Prohibit "Weighted" Voting By Delegates.

On June 3, 1959 AFL-CIO President George Meany appeared before a joint subcommittee of the House of Rep-

resentatives to set forth in detail the Federation's views on proposed labor legislation, including S. 1555, 86th Cong., 1st Sess. (1959), as passed by the Senate. He voiced three specific objections to section 101(a)(3) of the Senate bill, dealing with union membership dues, fees, and assessments.[1] First, certain prescribed voting methods would apply whenever dues and fees were "changed"; this was unduly broad, since safeguards for individual members would obviously not be needed when rates were decreased. Secondly, the language of the provision might be susceptible of the interpretation that international unions could change their rates only by convention action, and not by a membership referendum. President Meany added, however, that he did not think the Senate really meant to bar international unions from following the referendum procedure.

Having made this latter observation, President Meany then submitted his third criticism of the section with these comments: "If we are correct in this assumption as to what the Senate intended, *section 101(a)(3) actually permits changes in dues and assessments by every method which unions generally employ* except action by a general executive board or similar body."[2] (Emphasis supplied.)

This analysis of section 101(a)(3) received exceptionally close attention. Each of the three principal bills to come before the House, H.R. 8342, 86th Cong., 1st Sess. (1959) (the House Labor Committee or Elliott bill), H.R. 8400 (the employer-backed Landrum-Griffin bill, which was eventually passed), and H.R. 8490 (the union-backed Shelley bill), contained identical language in section 101(a)(3), and this language varied from the Senate's version so as to take account of each of the three objections leveled by President Meany.

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[1] *Hearings on Labor-Management Reform Legislation before a Joint Subcommittee of the House Committee on Education and Labor*, 86th Cong., 1st Sess. 1482, 1517-18 (1959).

[2] *Id.* at 1518.

Under the provisions of each bill's section 101(a)(3), the limitations on voting procedures would apply only when the rates of dues and initiation fees were "increased," and not when they were otherwise "changed." Under subsection (B)(ii) it was expressly provided that a vote on an international union's dues, fees, or assessments could be taken in a "membership referendum." And under subsection (B)(iii) the "executive board or similar governing body" of an international was allowed to increase dues and fees and levy assessments between conventions. Plainly, there was no desire on the part of any legislative faction to wrangle over this relatively noncontroversial provision of the bill. Adversaries on many other issues readily united in acceding to President Meany's views on this particular section.

Against this background, it seems entirely fair to regard as definitive President Meany's characterization of section 101(a)(3) as permitting (with the House modifications) dues increases and assessments "by every method which unions generally employ." No member of Congress ever challenged the accuracy of that appraisal.[3]

As the leading spokesman for American labor, President Meany was of course aware that it was an accepted practice among many unions to "weight" the votes of their delegates at conventions in accordance with the number of members they represented.[4] It is inconceivable that President Meany, either in criticizing the language of S. 1555 or later in en-

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[3] See, *e.g.*, Senator McClellan's point-by-point response to many of President Meany's other comments on title I of S. 1555. 105 Daily Cong. Rec. 9933 (June 16, 1959), 2 Leg. Hist. of the LMRDA 1294. No question was raised about President Meany's quoted estimate of the scope of section 101(a)(3).

[4] See affidavit of George Meany submitted in the District Court below (R. 110), and the figures set forth in part II, *infra*.

dorsing the Shelley bill,[5] which had language identical to section 101(a)(3) as enacted, would have acquiesced in the invalidation of the voting procedures followed at conventions by a majority of the AFL-CIO's affiliated internationals.

Furthermore, as this Court has declared, if a "word be deemed to have a peculiar connotation for those intimate with trade-union affairs, it is incumbent upon us to give the word its technical meaning," especially where, as here, the term "is an integral part of a statute whose sponsors were familiar with labor organization and labor problems and which was doubtless drawn by specialists in labor relations." *NLRB* v. *Coca-Cola Bottling Co. of Louisville*, 350 U.S. 264, 269. Such terminology as a "majority vote of the delegates," as customarily used in international constitutions, merely describes the percentage needed to adopt a measure; it does not say whether that percentage shall be a percentage of the individual delegates or a percentage of the weighted voting strength they represent. Indeed, the phrase "majority vote" in many unions refers to a per-

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[5] See 105 Daily Cong. Rec. 14351-52, 14358-59 (Aug. 12, 1959), 2 Leg. Hist. 1627-28, 1634-35; *N. Y. Times*, Aug. 7, 1959, p. 1, col. 8, p. 8, col. 3; *AFL-CIO News*, Aug. 8, 1959, p. 1, col. 5.

Section 101(a)(3)(A)(iii) of S. 1555, as passed by the Senate, spoke in terms of a "majority vote at a regular convention or a special convention***"; section 101(a)(3)(B)(i) of the three House bills spoke in terms of a "majority vote of the delegates voting at a regular convention, or at a special convention***." The phrase "of the delegates voting" was evidently inserted to make certain that the "majority" needed to adopt a measure would be determined on the basis of the delegates actually voting, and not on the basis of the entire body of delegates attending the convention, which would be a stiffer standard to meet. Plainly, this slight language change was not intended to effect such a major legal change as requiring the "majority" to be determined on the basis of the number of individual delegates rather than on the basis of the voting strength of the delegates. So drastic an alteration would have occasioned comment, and would not have been approved by the AFL-CIO when incorporated into the Shelley bill. In any event, as discussed more fully in the text, a "majority vote of the delegates" in union parlance calls for no such narrow and restrictive reading.

centage determined on *either* basis, depending on what voting procedure is being followed at a particular time. Understanding how union conventions are generally conducted will show why this is so.

As in many deliberative bodies, routine, noncontroversial matters at a convention are ordinarily handled by a voice vote. More controversial questions, resulting in a closer division of the assembly, are decided by a standing vote or a show of hands. In neither of these cases is any effort made to take account of a delegate's "weighted" voting strength. On the most important or most controversial issues, however, the usual procedure is to vote by roll-call. It is on the roll-call that those organizations providing for weighted voting proceed to tabulate the delegates' votes according to the number of members they represent. In this latter instance the phrase "majority vote of the delegates," or its equivalent, is read to mean a majority of the "weighted" voting strength of the delegates. To verify the existence of this interpretation might, in the case of some unions, require knowledge of the organizations' practices rather than merely of their constitutional provisions. But the Constitution of the AFL-CIO confirms by its very language the validity of our analysis.

Article XVII of the AFL-CIO Constitution reads as follows:

> "This constitution can be amended or altered only by the convention, by a *two-thirds vote of those present and voting, either* by a show of hands, *or*, if a roll-call is properly demanded as provided in this constitution, *by such roll-call.*"[6] (Emphais supplied.)

Article IV, section 17 of the AFL-CIO Constitution provides:

> "Questions may be decided by division or a show of hands, but a call of the roll may be demanded by 30

[6] *AFL-CIO Constitution*, art. XVII (1961).

> percent of the delegates present. *Upon such roll-call each delegate* representing affiliated national or international unions, organizing committees and directly affiliated local unions *shall be entitled to cast one vote for every member whom he represents.* Each state and local central body and national trade and industrial department shall be entitled to one vote."[7] (Emphasis supplied.)

As can easily be seen, the phrase "two-thirds vote of those present and voting," which is found in the AFL-CIO Constitution, precisely parallels the phrase, "majority vote of the delegates voting," which is found in section 101(a)(3)(B)(i) of the Landrum-Griffin Act. The AFL-CIO Constitution goes on to make plain beyond any doubt that the "two-thirds vote" may refer "*either*" to a two-thirds count determined on the basis of the number of individual delegates present and voting, "*or*," on a roll-call, to a two-thirds count determined on the basis of the number of members represented by those delegates.[8]

Section 101(a)(3)(B) of the Landrum-Griffin Act, incorporating as it does a phrase having a "peculiar connotation for those intimate with trade-union affairs," must be interpreted accordingly. A "majority vote of the delegates voting" means *either* a majority calculated in terms of individual delegates, *or* a majority calculated in terms of the voting strength reflected by those delegates, depending on how a particular organization provides that its delegates' votes shall be measured. Such an interpretation of the

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[7] *Id.*, art. IV, §17.

[8] Like the AFL-CIO, a number of international unions on a roll-call give representatives of certain constituent bodies one vote each, although delegates from affiliated unions vote the full membership they represent. This former group, which in the case of the AFL-CIO accounts for only about 260 votes out of approximately 12.5 million votes on a roll-call, has been disregarded in our discussion (and in the classification in part II, *infra*), on the ground it is *de minimis* and has no bearing on whether an organization's procedures would meet the standard required by the court below.

statutory language is consistent with the meaning which "specialists in labor relations" would be expected to convey. It does no violence to any expression of legislative intent. It comports with the unchallenged understanding of AFL-CIO President George Meany, as set forth in carefully studied and highly influential congressional testimony. And, as we shall next show, it makes it unnecessary to rewrite the freely chosen voting procedures which are spelled out in the constitutions of over half of the AFL-CIO's affiliated international unions.

II. Congressional Regulation Of Union Procedures For Increasing Dues And Levying Assessments Should Be Interpreted In Light Of Established Union Practices Allowing "Weighted" Voting By Convention Delegates.

In *Ranes* v. *Office Employees Local 28*, 317 F.2d 915, 917-18 (7th Cir. 1963), the court in discussing another problem arising under Landrum-Griffin's section 101(a)(3) took a sensible and realistic approach which we think is equally appropriate here:

> "We cannot assume that Congress was unaware of the traditional structure and dues practices of labor unions when it enacted 101(a)(3), or that Congress, being aware of the traditional structure and practices, intended by enacting that Section to strip international unions of their traditional power to control the minima and maxima of rates of dues without one word in the Committee Reports expressing that intention. On the contrary, we must assume that Congress was aware of the established structure and practices and interpret the statute in the light thereof."[9]

As can readily be demonstrated, the "traditional structure and dues practices of labor unions" encompass, for a majority of the 131 international unions affiliated with the AFL-CIO, procedures whereby the dues or fees, or the minima thereof, or the assessments, payable by individual members may be set by a vote of the delegates at an inter-

[9] Citing *Carpenters Local 1976* v. *NLRB*, 357 U. S. 93, 98-101; *Perrine* v. *Chesapeake & D. Canal Co.*, 50 U. S. 172, 187-88.

national convention in which the voting strength of each delegate is measured or "weighed," in one way or another, according to the number of members he represents. Petitioners have fully briefed the proposition that such "weighted" voting is one of the most feasible methods of ensuring a democratic reflection of the wishes of the entire membership of the union, without having a convention so large that it is both overly cumbersome and overly expensive.[10] We will limit ourselves to setting forth the statistics on the voting procedures followed by the Federation's affiliates.

AFL-CIO counsel have examined the constitutions of the 131 affiliated international organizations to determine the way each raises dues and levies assessments.[11] The results of this study are tabulated in the Appendix of this brief.[12] Five distinct voting methods are employed: (1) non-convention action—all dues, fees, and assessments, or minima thereof, payable by individual members are governed by

[10] As Judge Marshall pointed out in his dissent below, the petitioner international has a total membership of about 280,000, spread throughout local unions ranging in size from around 28,000 down to 20, and this is by no means atypical. Directly proportional representation of each local in such a union, if achieved through the number of delegates at the international convention rather than through the voting strength of the delegates, would require a convention consisting of some 14,000 delegates.

[11] Labor organizations are required by the Landrum-Griffin Act to file their constitutions with the Department of Labor. These constitutions are available for public inspection, so the accuracy of the AFL-CIO's classifications can easily be verified. As an added precaution, the classifications made by Federation counsel were submitted to all 131 affiliates for their comments or corrections in light of their own interpretations and practices.

[12] In classifying the internationals' voting procedures, certain ground rules were adopted. The only voting procedures considered were those covering financial obligations placed directly on individual members, since section 101(a)(3) of the Act deals solely with dues, fees, or assessments "payable by *members*." (Emphasis supplied.) Financial obligations imposed by internationals on their constituent locals as organizational entities were ignored. International unions which fix minimum dues or fees but leave to the

methods other than a vote of convention delegates, *e.g.*, by membership referenda or by the various local unions; (2) equal voting at a convention—each delegate has one vote; (3) membership weight at a convention—delegates vote the membership they represent, *e.g.*, a delegate representing 603 members has 603 votes; (4) directly proportional voting at a convention—delegates have a voting strength in direct proportion (sometimes ignoring fractions) to the number of members they represent, *e.g.*, a delegate representing 100 members has one vote and a delegate representing 603 members has 6 (or 6.03) votes; and (5) sliding scale voting at a convention—delegates' voting strengths vary depending on the number of members they represent, but there is a graduated rather than directly proportional relationship, *e.g.*, a delegate has one vote for the first 100 members he represents, one additional vote for the next 200, and one additional vote for each additional 300 members.

The first two of these procedures for setting dues and

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locals the setting of the exact amount were treated, however, like organizations which fix the rate at the international level, because the power to raise the minima is the legal, and often the practical, equivalent of the power to increase the rate itself. *Cf. Ranes* v. *Office Employees Local 28*, 317 F. 2d 915 (7th Cir. 1963).

The purpose of this survey, of course, was to show how many unions would have to change their existing practices should the rule of the court below be upheld. Accordingly, if either local dues or other fees (or the minima thereof) payable by individual members are set at an international convention, the international is classified so as to indicate the voting procedure which would or could be governed by the decision in the present case. Similarly, if rates can be raised or assessments levied by a separate membership referendum as well as by convention action, or by a standing convention vote with each delegate having one vote as well as by a roll-call, upon proper demand, with a weighted vote prevailing, the referendum or standing vote is disregarded and the international is categorized solely on the basis of the convention action or roll-call voting system. On the other hand, if any dues increase or assessment requires *both* a convention vote and a membership referendum, the international is classified as using non-convention action, on the ground that at least the referendum would meet the requirements of subsection (B)(ii), making it immaterial whether the convention action met the requirements of subsection (B)(i).

laying assessments would not be affected by the holding below that every delegate must have one vote when action is by convention. The last three types of procedures would be invalidated. Under the five categories just described, the AFL-CIO's 131 affiliated internationals can be classified according to their voting procedures for raising dues and levying assessments, as follows:

Voting Procedures on Finances Used by 131 AFL-CIO Affiliates

Procedure	No. of Unions
Non-Convention Action	21
Equal Voting	42
Total Unions Unaffected by *Wittstein*	63
Membership Weight	19
Direct Proportion	31
Sliding Scale	18
Total Unions Affected by *Wittstein*	68
Total All Unions	131

A total of 68 unions, or more than half the AFL-CIO's international affiliates, would thus have their voting procedures on financial issues struck down as unlawful under the ruling of the court below. Limiting consideration to the 110 internationals which decide such questions at conventions, this means almost two-thirds of the organizations would be adversely affected. In the absence of the slightest suggestion in the legislative history that Congress ever intended so devastating a result, a relatively non-controversial section of a statute should not be construed as outlawing such an accepted and concededly democratic trade union practice.[16]

[16] Even the majority of the court below recognized that "weighted voting is to all appearances the most 'democratic' method, in the sense that each member is duly 'represented,' and it is a method of voting widely recognized as fair and proper by a number of unions." *Wittstein* v. *Musicians*, 326 F. 2d 26, 29 (2d Cir. 1963).

As might be expected, an even higher proportion of the larger labor organizations use weighted voting by delegates at conventions to pass upon revenue measures. Examination of the 34 affiliated internationals having more than 100,000 members each shows the following breakdown:

Voting Procedures on Finances Used by 34 AFL-CIO Affiliates Having More Than 100,000 Members Each

Procedure	No. of Unions
Non-Convention Action	2
Equal Voting	12
Total Unions Unaffected by *Wittstein*	14
Membership Weight	6
Direct Proportion	9
Sliding Scale	5
Total Unions Affected by *Wittstein*	20
Total All Unions	34

Labor organizations relying upon various methods of weighted delegate voting to provide a fair reflection of membership sentiment, without the need for an outsized convention, include such quarter-million-member-or-over internationals as the Auto Workers, the Building Service Employees, the Communications Workers, the International Brotherhood of Electrical Workers, the International Union of Electrical Workers, the Hotel and Restaurant Employees, the Operating Engineers, and the Steelworkers. Those eight unions alone account for almost four million members, about one-third of the total strength of the AFL-CIO. Can it seriously be maintained that Congress intended, without reason,[14] without explanation, and through a provision carrying the endorsement of the President of

[14] The majority below conceded that "no particular abuses in the matter of weighted voting for such increases [in dues and fees] had been proved." *Wittstein* v. *Musicians*, 326 F. 2d 26, 30 (2d Cir. 1963).

the AFL-CIO, to strip these and other unions representing a vast contingent of American workingmen[15] of their traditional power to obtain essential operating funds through voting procedures freely chosen by those organizations, and carefully designed to secure an accurate expression of the wishes of their entire memberships?

We think not. We think section 101(a)(3) of Landrum-Griffin should be interpreted in accord with the undisputed analysis contained in President Meany's congressional testimony, in accord with the accepted meaning of its terminology in trade union circles, and in accord with the unexceptionable voting practices of the majority of the internationals comprising the AFL-CIO. The narrow, niggling reading urged by respondents, and the harsh and drastic results it would produce, are not required by the statutory language, and run directly counter to legislative history and rational policy. The phrase "majority vote of the delegates" can reasonably be interpreted as referring to a majority of the delegates' voting strength, either equal or weighted, depending on what method has been chosen by a particular organization. Common sense and a due regard for the context in which the statute was written compel the adoption of that interpretation.

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[15] The 68 international affiliates of the AFL-CIO which utilize one form or another of "weighted" delegate voting report a total membership of approximately 7,200,000. See 2 *Proceedings of the AFL-CIO Fifth Constitutional Convention* [*Report of the Executive Council*] 37-40 (1963).

CONCLUSION

For the foregoing reasons, and for the reasons set forth in the brief for petitioners, the judgment of the court below should be reversed.

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August 1964

APPENDIX

Voting Procedures on Finances Used by 131 AFL-CIO Affiliates[16]

Name of the Union	Non-Convention Action	Equal Voting	Membership Weight	Direct Proportion	Sliding Scale
Actors & Artistes	x				
Air Line Dispatchers			x		
Air Line Pilots			x		
Aluminum Workers					x
Asbestos Workers		x			
Automobile Workers				x	
Bakery Workers				x	
Barbers		x			
Bill Posters					x
Boiler Makers					x
Bookbinders	x				
Boot and Shoe Workers		x			
Brewery Workers			x		
Bricklayers					x
Brick and Clay Workers				x	
Broadcast Employees			x		
Building Service Employees			x		
Carpenters		x			

Name of the Union	Non-Convention Action	Equal Voting	Membership Weight	Direct Proportion	Sliding Scale
Cement Workers					X
Chemical Workers					X
Cigarmakers				X	
Clothing Workers, Amalgamated		X			
Commercial Telegraphers	X				
Communications Workers			X		
Coopers		X			
Distillery Workers			X		
Doll and Toy Workers	X				
Electrical Workers (IUE)				X	
Electrical Workers (IBEW)			X		
Elevator Constructors				X	
Fire Fighters	X				
Firemen and Oilers				X	
Flight Engineers	X				
Furniture Workers			X		
Garment Workers, United		X			

Name of the Union	Non-Convention Action	Equal Voting	Membership Weight	Direct Proportion	Sliding Scale
Glass and Ceramic Workers					x
Glass Bottle Blowers		x			
Glass Cutters	x				
Glass Workers, Flint					x
Government Employees			x		
Grain Millers				x	
Granite Cutters				x	
Hatters				x	
Hod Carriers		x			
Horse Shoers		x			
Hosiery Workers	x				
Hotel & Restaurant Employees					x
Industrial Workers, Allied					x
Insurance Workers				x	
Iron Workers		x			
Jewelry Workers		x			
Ladies' Garment Workers		x			
Lathers		x			

Name of the Union	Non-Convention Action	Equal Voting	Membership Weight	Direct Proportion	Sliding Scale
Laundry & Dry Cleaning Union			X		
Leather Goods Workers		X			
Leather Workers, United		X			
Letter Carriers				X	
Locomotive Firemen & Engineers		X			
Longshoremen		X			
Machinists	X				
Maintenance of Way Employees			X		
Marble Polishers					X
Marine & Shipbuilding Workers				X	
Marine Engineers					X
Maritime Union	X	7			
Masters, Mates & Pilots			X		
Master Mechanics		X			
Meat Cutters		X			
Mechanics Educational Society		X			
Metal Polishers				X	

Name of the Union	Non-Convention Action	Equal Voting	Membership Weight	Direct Proportion	Sliding Scale
Molders		x			
Musicians			x		
Newspaper Guild					x
Office Employees				x	
Oil Workers			x		
Operating Engineers				x	
Packinghouse Workers				x	
Painters		x			
Papermakers				x	
Pattern Makers	x				
Photo Engravers		x			
Plasterers	x				
Plumbers		x			
Porters, Sleeping Car				x	
Post Office Motor Vehicle Employees	x				
Post Office Mail Handlers	x				
Postal Clerks					x
Potters		x			
Printers & Engravers	x				
Printing Pressmen	x				

Name of the Union	Non-Convention Action	Equal Voting	Membership Weight	Direct Proportion	Sliding Scale
Pulp & Sulphite Workers				x	
Radio Association	x				
Railroad Telegraphers		x			
Railroad Trainmen		x			
Railway Carmen				x	
Railway Clerks				x	
Railway Patrolmen		x			
Railway Supervisors	x				
Retail Clerks		x			
Retail, Wholesale Union			x		
Roofers		x			
Rubber Workers				x	
Seafarers	x				
Sheet Metal Workers				x	
Shoe Workers, United				x	
Siderographers		x			
Signalmen		x			
Special Delivery Messengers					x
Stage Employees				x	

Name of the Union	Non-Convention Action	Equal Voting	Membership Weight	Direct Proportion	Sliding Scale
State, County & Municipal Employees					x
Steelworkers				x	
Stereotypers	x				
Stone Workers				x	
Stonecutters		x			
Stove Workers				x	
Street & Electric Railway Employees		x			
Switchmen		x			
Teachers					x
Technical Engineers					x
Textile Workers, United		x			
Textile Workers (TWUA)		x			
Tobacco Workers				x	
Train Dispatchers		x			
Transport Service Employees		x			
Transport Workers				x	
Typographical Union	x				
Upholsterers			x		

Name of the Union	Non-Convention Action	Equal Voting	Membership Weight	Direct Proportion	Sliding Scale
Utility Workers			X		
Wire Weavers		X			
Woodworkers			X		
Yardmasters		X			

[1] For an explanation of the method followed in preparing this chart, see notes 11 and 12, *supra*, and accompanying text.

The classification headings represent the following voting systems:

"**Non-Convention Action**"—All dues, fees and assessments, or minima thereof, payable by individual members are governed by methods other than a vote of convention delegates; *e.g.*, by membership referenda or by the various local unions.

"**Equal Voting**"—Each delegate at a convention has one vote.

"**Membership Weight**"—Delegates at a convention vote the membership they represent, *e.g.*, a delegate representing 603 members has 603 votes.

"**Direct Proportion**"—Delegates at a convention have a voting strength in direct proportion (sometimes ignoring fractions) to the number of members they represent, *e.g.*, a delegate representing 100 members has one vote and a delegate representing 603 members has 6 (or 6.03) votes.

"**Sliding Scale**"—Delegates' voting strengths at a convention vary depending on the number of members they represent, but there is a graduated rather than directly proportional relationship, *e.g.*, a delegate has one vote for the first 100 members he represents, one additional vote for the next 200, and one additional vote for each additional 300 members.

The 63 international affiliates in the first two categories would not be affected by the rule of the court below. The 68 internationals in the remaining three categories would have their voting procedures invalidated.